

**PIERCE BAINBRIDGE**

Caroline J. Polisi  
Partner  
277 Park Avenue, 45th Floor  
New York, NY 10172  
cpolisi@piercebainbridge.com  
Direct Dial: (646) 874-0295

**VIA ECF**

January 26, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

***Re: Hice v. Lemon, No. 2:19-CV-4666 (JMA) (SIL)***

Dear Judge Azrack:

I respectfully submit this letter on behalf of Don Lemon requesting a pre-motion conference in support of Mr. Lemon's motion to dismiss this action under Fed. R. Civ. P. 4(m).

Plaintiff has failed to effect service on Mr. Lemon pursuant to the deadline set by the Court of 60 days from the date it issued its decision denying Plaintiff's motion to remand, which is January 25, 2020. For the reasons set forth in my letter to the Court dated January 23, 2020, Plaintiff has not demonstrated good cause for an extension of time to serve Mr. Lemon more than 166 days since this case was removed on August 13, 2019. Indeed, Plaintiff has had the benefit of almost twice the number of days to serve Mr. Lemon as is permitted under Rule 4(m).

Accordingly, we respectfully request that the Court conduct a pre-motion conference to dismiss this action under Rule 4(m).

Respectfully submitted,  
/s/ Caroline J. Polisi  
Caroline J. Polisi

cc: All Counsel (Via ECF)